

**CANADORE COLLEGE**  
**OPERATIONAL POLICY MANUAL**

**TITLE:** **Competitive Procurement**

**EFFECTIVE DATE:** June 18, 2019

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**1. SCOPE**

1.1 Authority

This policy is issued under the authority of the President.

1.2 Application

This policy applies to all College employees.

**2. PURPOSE AND PRINCIPLES**

The purpose of this policy is to provide internal controls over the competitive procurement process.

**3. POLICY**

3.1 The purchase of **goods and/or services** in excess of \$5,000 will be completed through a competitive bidding process as follows:

3.1.1 Goods and/or Services \$5,000 - \$24,999\*:

Purchases of good and non-consulting services valued between \$5,000 and \$24,999 require two (2) written quotes. These written quotes may be initiated by individuals at the department level.

3.1.2 Goods and/or Services \$25,000 - \$99,999\*:

Purchases of good and non-consulting services valued between \$25,000 and \$99,999 require three (3) written quotes which, upon determination by the College purchasing officer, can be coordinated by an invitational procurement process or at the department level. If an invitational procurement process is determined to be appropriate it must be coordinated through the College purchasing officer.

3.1.3 Goods and/or Services over \$100,000:

Purchases of good and non-consulting services valued in excess of \$100,000 require an open competitive procurement process. These purchases are to be coordinated through the purchasing officer who will determine the appropriate type of open competitive procurement process.

*\*Note: multiple quotations are not required for purchases acquired from a Vendor with an established enterprise wide Vendor of Record (VOR) contract. All intended use of a VOR contract must be verified through the College purchasing officer prior to proceeding.*

3.2 The purchase of **consulting services** of any value will be completed through a competitive bidding process as follows:

3.2.1 Consulting Services \$0 - \$24,999\*:

Purchases of consulting services valued up to \$24,999 require two (2) written quotes. These written quotes may be initiated by individuals at the department level.

3.2.2 Consulting Services \$25,000 - \$99,999\*:

Purchases of consulting services valued between \$25,000 and \$99,999 require three (3) written quotes, which upon determination by the College purchasing officer, can be coordinated by an invitational procurement process or at the department level. If an invitational procurement process is determined to be appropriate it must be coordinated through the College purchasing officer.

3.2.3 Consulting Services over \$100,000:

Purchases of consulting services valued in excess of \$100,000 require an open competitive procurement process. These purchases are to be coordinated through the purchasing officer who will determine the appropriate type of open competitive procurement process.

*\*Note: multiple quotations are not required for purchases acquired from a Vendor with an established enterprise wide Vendor of Record (VOR) contract. All intended use of a VOR contract must be verified through the College purchasing officer prior to proceeding.*

3.3 Written rationale must be documented on the attached **Sole Source/Limited Tendering Certification** form and approved by the Director of Finance and Controller and/or Vice President, Finance, Corporate Services and International and Director of Finance when less than the required amount of quotes are available.

3.4 Certain purchases or expenditures are excluded from this policy. Purchases or expenditures excluded are:

- Regular payments such as utilities or telephone
- Expenditures in which there is only one supplier

#### 4. **ROLES AND RESPONSIBILITIES**

4.1 President

The President is responsible for the overall management and operation of the College. The President will ensure that the policy is implemented and that compliance is monitored.

4.2 Vice-President

Changes to this policy will be processed through the Vice President of Finance, Corporate Services and International.

4.3 College Departments

4.3.1 Department Heads are responsible for:

- Obtaining written quotes when appropriate
- Working with the College purchasing officer in the development of the procurement package
- Evaluating submissions

4.3.2 Financial Services is responsible for

- Issuing and controlling the procurement package
- Ensuring the Competitive Bidding Policy is adhered to
- Evaluating submissions

**5. EVALUATION**

This policy shall be reviewed every 3 years.

## SINGLE SOURCE/LIMITED TENDERING CERTIFICATION

To ensure compliance with Canadore College Policies and Procedures as well as Provincial/Federal laws and regulations, all acquisitions >\$5K must be competitively bid in accordance with Canadore College's Competitive Bidding Policy C-16, and Canadore College's Supply Chain Code of Ethics Policy B-30, as well as Applicable Trade Agreements such as the Canadian Free Trade Agreement (CFTA), the Comprehensive Economic Trade Agreement (CETA) and the Broader Public Sector Procurement Directive (BPS).

However, it is recognized that in exceptional circumstances, only one supplier may be able to, or be capable of, providing the goods or services required. In these circumstances, this form, appropriately signed, must accompany the requisition and be forwarded to Financial Services **before** the purchase order can be issued to the vendor.

It is a requirement that the department and individual initiating this form consult with the purchasing officer prior to proceeding.

**Definitions:**

- **Single Source:** More than one supplier or distributor for a product exists in the market, however only one of those suppliers or distributors is able to meet specific requirements
- **Limited Tendering:** Allows for contract of a supplier of its choice under very specific circumstances
- **Emergencies:** A circumstance in which an immediate purchase or procurement decision is necessary to prevent a serious delay which could result in a danger to life, damage to property or the suspension of the provision of an essential service. Failure to plan and allow sufficient time for a competitive procurement process does not constitute an unforeseeable situation of emergency.

### DECLARATION: (to be completed by Requisitioner)

Check a minimum of **ONE** box below that best describes the reason for the Single/Limited Tendering or Emergency Exemption:

SINGLE SOURCE	LIMITED TENDERING
<p>Requisitioner's <i>may</i> conduct non-competitive procurement in the circumstances listed below provided they can justify the requirement of single source and they do not do so for the purposes of avoiding competition between suppliers, giving preferential treatment to or discriminating against a supplier</p> <p><b>EMERGENCY (as defined above)</b></p> <p><input type="checkbox"/> Where an unforeseeable situation of urgency exists and the goods or services cannot be obtained in time by competitive means.</p> <p>Date Required: _____</p> <p><b>SINGLE SOURCE</b></p> <p><input type="checkbox"/> Goods and services financed primarily from donations that require the procurements to be conducted in a manner inconsistent with chapter 5 of CFTA.</p> <p><input type="checkbox"/> Services that may only be provided by licensed lawyer or notaries</p> <p><input type="checkbox"/> Procurement of services of financial analysts or the management of investments by organizations who have such functions as a primary purpose</p> <p><input type="checkbox"/> Procurement of financial services respecting the management of financial assets and liabilities (eg: treasury operations), including ancillary advisory and information services, whether or not delivered by a financial institution</p> <p><input type="checkbox"/> Health and social service</p> <p><input type="checkbox"/> Procurement of goods intended for resale to the public</p> <p><input type="checkbox"/> With respect to not for profit, philanthropic agencies, prison labour or person with disabilities</p> <p><input type="checkbox"/> Procurements with respect to Aboriginal Peoples</p> <p><input type="checkbox"/> The acquisition or rental of land, existing buildings or other immovable property or the rights thereon</p> <p><input type="checkbox"/> Procurement of transportation services that form part of or are incidental to a procurement contract</p> <p><input type="checkbox"/> Procurement of services contracts, excluding construction, which grant a supplier the right to provide and exploit a service to the public or partial consideration for the delivery of a service</p>	<p>Allows for a contract with a supplier of choice, provided that such limited tendering is not for the purpose of avoiding competition among suppliers or in a manner that discriminates against suppliers of another party or protects domestic suppliers.</p> <p><input type="checkbox"/> Where there is an absence of competition for technical reasons and the goods or service can be supplied only by a particular supplier and no alternative or substitute exists</p> <p><input type="checkbox"/> After a public procurement, no tenders conformed to the essential requirements of the tender documents or satisfied the conditions for participation or were collusive</p> <p><input type="checkbox"/> If the goods or services can only be supplied by a particular supplier and no reasonable alternative exists such as a work of art, protection of patents, copyrights or other exclusive rights</p> <p><input type="checkbox"/> To ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licences, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representatives (<b>provide list of equipment or previous PO number in rationale on page 2</b>)</p> <p><input type="checkbox"/> For work to be performed on a property by a contractor according to the provisions of a warranty or guarantee held in respect of the property or the original work</p> <p><input type="checkbox"/> For the work to be performed on or about a leased building or portions thereof that may only be performed by the lessor</p> <p><input type="checkbox"/> For the procurement of subscriptions to newspapers, magazines or other periodicals</p> <p><input type="checkbox"/> For the purchase of goods on a commodity market or for the procurement of real property</p> <p><input type="checkbox"/> For the procurement of a prototype of a first good or service to be developed in the course of and for a particular contract for research, experiment, study or original development but not for any subsequent purchases</p> <p><input type="checkbox"/> For the purchase of goods under exceptionally advantageous circumstances such as bankruptcy or receivership but not for routine purchases</p> <p><input type="checkbox"/> Where goods or services of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open tendering process could reasonably be expected to compromise confidentiality, cause economic disruption or otherwise be contrary to public interest</p> <p><input type="checkbox"/> For the procurement of goods or services, the supply of which is controlled by a supplier that is a statutory monopoly</p> <p><input type="checkbox"/> For additional deliveries by the original supplier of goods or services that were not included in the initial procurement if a change of supplier cannot be made for technical reasons (such as requirements of interchangeability or interoperability with existing equipment, software or installations <b>and</b> would cause significant inconvenience or substantial duplication of costs</p> <p><input type="checkbox"/> If a contract is awarded to the winner of a contest provided that the contest was organized in a manner consistent with chapter 19 of CETA, such as publication of a notice of intended procurement and the participants are judged by an independent jury</p>

**Product or Service descriptions:**

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**Rationale:** Explain why the Supplier listed above is the only one who can satisfy the requirements, as well as why alternatives are unacceptable. For compatibility, please list the existing equipment that is being matched and previous Purchase Order number, if applicable.

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**I understand and accept Canadore College’s Competitive Bidding Policy C-16:**

- that all acquisitions of goods and services between \$5,000 and \$99,999 before tax require multiple quotes depending on value;
- that a formal open competitive process is required for goods or services valued in excess of \$100,000 before tax;
- that consulting services require multiple quotes regardless of value, and;
- that requisitions to employees, their spouses and/or their companies, and non-arm’s length individuals, require three quotes regardless of value;
- that this completed declaration does not replace a purchase requisition, and that the purchase requisition will still be required to proceed through the various financial approval queues;

I also acknowledge that this order has not been placed in advance of a Purchase Order being issued and contracts will be signed in accordance with the Approval Authority Policy B-31;

Department	Name (print)	Date (mm/dd/yy)	Signature	Comments
Requisitioner:				

**Approvals Recorded**

*(approvals must be obtained in the order below)*

1) Financial Services:				
2) Administrator for Requisitioner:				
3) Senior Executive Team Member:				

**FINANCE SERVICES USE ONLY:**

*This section to be signed by Vice President, Finance, Corporate Services and International, and/or Director of Finance and Controller.*

**Approval to issue Purchase Order:**

Authorized Signature:	Date (mm/dd/yy)	Comments